

AMENDED IN SENATE MAY 25, 2005

AMENDED IN SENATE MAY 4, 2005

AMENDED IN SENATE APRIL 14, 2005

AMENDED IN SENATE APRIL 4, 2005

**SENATE BILL**

**No. 1067**

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**Introduced by Senator Kehoe**

February 22, 2005

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An act to add Article 5.5 (commencing with Section 116490) to Chapter 4 of Part 12 of Division 104 of, the Health and Safety Code, relating to drinking water.

LEGISLATIVE COUNSEL'S DIGEST

SB 1067, as amended, Kehoe. Drinking water.

Existing law, the Calderon-Sher Safe Drinking Water Act of 1996, requires the State Department of Health Services to adopt regulations covering water testing, the monitoring of contaminants, the frequency and method of sampling and testing, the reporting of results, and other matters as may be necessary to determine and assure the quality of domestic water supplies. Existing law requires the Office of Environmental Health Hazard Assessment to perform a risk assessment and, based upon that risk assessment, to adopt a public health goal for contaminants in drinking water based exclusively on public health.

This bill would require the office, by January 1, 2007, to adopt a public health goal for *total* trihalomethanes and *by January 1, 2008*, for total haloacetic acids, and would require the department, ~~on or before January 1, 2007~~, to adopt regulations to ensure that any public water system that has levels of *total* trihalomethanes or total

haloacetic acids that pose a potential risk to public health notifies its customers of the public health risks, including any risks to pregnant women, from the contaminant and would set forth specific notices to be included in the consumer confidence report if public water systems exceed the maximum contamination levels for those contaminants.

Vote: majority. Appropriation: no. Fiscal committee: yes.

State-mandated local program: no.

*The people of the State of California do enact as follows:*

SECTION 1. Article 5.5 (commencing with Section 116490) is added to Chapter 4 of Part 12 of Division 104 of the Health and Safety Code, to read:

Article 5.5. Disinfection Byproduct Risk Reduction and  
Public Disclosure

116490. The Legislature finds and declares all of the following:

(a) Scientific studies have linked disinfectant byproducts including ~~trihalomethane (TTHMs)~~ *trihalomethanes* and haloacetic acids (~~HAA5~~) to increased risk of cancer.

(b) Several investigations have found that chlorination byproducts may be linked to heart, lung, kidney, liver, and central nervous system damage. Other studies have linked ~~TTHMs and HAA5~~ *trihalomethanes and haloacetic acids* to reproductive problems, including miscarriage.

116491. (a) By January 1, 2007, the Office of Environmental Health Hazard Assessment shall adopt a public health goal for ~~TTHMs and HAA5~~ *total trihalomethanes (TTHMs)* using the criteria established pursuant to Section 116365. This public health goal shall specify a peak level rather than average levels for TTHMs ~~and HAA5~~ that will ensure maximum protection of pregnant women from miscarriage or other potential reproductive effects.

(b) By January 1, 2008, the Office of Environmental Health Hazard Assessment shall adopt a public health goal for total haloacetic acids (HAA5) using the criteria established pursuant to Section 116365. This public health goal shall specify a peak level rather than average levels for HAA5 that will ensure

1 *maximum protection of pregnant women from miscarriage or*  
2 *other potential reproductive effects.*

3 ~~(b)~~

4 (c) By January 1, 2007, the department shall adopt regulations  
5 to ensure that any public water system that has levels of TTHMs  
6 ~~and HAAs~~ that pose a potential risk to public health notifies its  
7 customers of the public health risks, including any risks to  
8 pregnant women, from the contaminant. The notification required  
9 under this section shall be included in the annual consumer  
10 confidence report issued by the public water system.

11 (d) *By January 1, 2008, the department shall adopt*  
12 *regulations to ensure that any public water system that has levels*  
13 *of total haloacetic acids (HAA5) that pose a potential risk to*  
14 *public health notifies its customers of the public health risks,*  
15 *including any risks to pregnant women from the contaminant.*  
16 *The notification required under this subdivision shall be included*  
17 *in the annual consumer confidence report issued by the public*  
18 *water system.*

19 ~~(e)~~

20 (e) A public water system that has one or more detections of  
21 TTHMs at a peak, rather than average, level above the maximum  
22 contaminant level shall include the following notice in its next  
23 ~~Consumer Confidence Report~~ *consumer confidence report:*

24 “Some people who drink water containing ~~trihalomethanes~~  
25 *total trihalomethanes* (TTHMs) at levels in excess of the  
26 maximum contaminant level over many years, may experience  
27 problems with their liver, kidneys, or central nervous system, and  
28 may have increased risk of cancer. Pregnant women should know  
29 that some studies have found a possible link between  
30 miscarriage, certain birth defects, low-birth weight or stillbirths,  
31 and drinking water with high levels of these chemicals.”

32 ~~(f)~~

33 (f) A public water system that has one or more detections of  
34 ~~HAAs~~ *HAA5* at a peak, rather than average, level above the  
35 maximum contaminant level shall include the following notice in  
36 its next ~~Consumer Confidence Report~~ *consumer confidence*  
37 *report:*

38 “Some people who drink water containing ~~haloacetic acids~~  
39 ~~(HAAs)~~ *total haloacetic acids (HAA5)* at levels in excess of the  
40 maximum ~~contaminant~~ *contaminant* level over many years, may

1 experience problems with their liver or kidneys, and may have an  
2 increased risk of cancer. Pregnant women should know that some  
3 studies have found a possible link between miscarriages, certain  
4 birth defects, low-birth weight or stillbirths, and reproductive and  
5 fetal developmental problems, and drinking water with high  
6 levels of those chemicals.”

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